

REMARKS

Claims 1-28 are all the claims pending in the application. The Examiner maintains that claims 24-27 contain allowable subject matter, and these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner maintains the provisional rejections of claims 1-23 under 35 U.S.C. § 101 (statutory double patenting) as allegedly claiming the same invention as that of claims 1-23 of co-pending Application No.: 10/338,526, hereinafter referred to as USSN'526. In the previous Amendment dated December 22, 2004, it was argued that if USSN'526 is abandoned, the rejections of claims 1-23 would be moot. Applicant respectfully points out that USSN'526 went abandoned on March 22, 2005, therefore these rejections should be withdrawn.

Finally, the Examiner objects to claim 28 as allegedly being a substantial duplicate of claim 1, even though claim 1 recites "accumulating means for accumulating" and, differently, claim 28 recites "an accumulator which accumulates." In response, Applicant submits that the above-quoted element of claim 1 is a means-plus-function limitation under 35 U.S.C. § 112, sixth paragraph, while, on the other hand, the element of claim 28 is a non-means-plus-function limitation. That is, Applicant submits that the language of 35 U.S.C. § 112, sixth paragraph sets forth the scope of coverage to be afforded to means-plus-function recitations, which is clearly different from that of non-means-plus-function recitations. Therefore, at least based on the foregoing, Applicant submits that the Examiner's objection should be withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

RESPONSE UNDER 37 C.F.R. § 1.116
U. S. Application No. 10/607,215

ATTORNEY DOCKET NO. Q76236

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

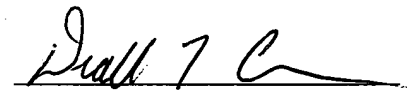
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER


Diallo T. Crenshaw
Registration No. 52,778

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